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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/699,447

10/31/2003

Robert W. Beauchamp

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10/15/2004

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EXAMINER

EVANISKO, LESLIE J

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/699,447	Applicant(s) BEAUCHAMP ET AL.	
	Examiner Leslie J. Evanisko	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26,30 and 31 is/are allowed.
- 6) ☒ Claim(s) 1, 4-6, 10-11, 13-14, 16-23, 25, and 33-34 is/are rejected.
- 7) ☒ Claim(s) 2,3,7-9,12,15,24,27-29 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10-31-2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference numerals **660** and **690** in Figure 6.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: The term "controller **230**" in line 16 on page 3 should be --controller **242**-- since

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that is how the controller was previously defined (in line 9, for example) and how the controller is shown in the drawings.

Appropriate correction and/or clarification is required.

Claim Objections

3. Claims 17-19, 22-25, 27-29, 32 and 34 are objected to because of the following informalities:

With respect to each of claims 17, 19, 22, 23, 24, and 25, the term “the print drum” has no proper antecedent basis since only a drum was previously recited in each claims respective parent claim. To correct this problem, it is suggested that the term “print” be deleted from each occurrence of “the print drum” in claims 17, 19, and 22-25.

With respect to claim 19, the term “the media ejection channel” in line 1 has no proper antecedent basis since only a channel was previously recited in claim 17. To correct this problem, it is suggested that the term media ejection be deleted from line 1 to insure the claims use consistent terminology throughout.

With respect to claim 25, the term “the plurality of openings” in lines 4-5 has no proper antecedent basis and it is suggested that the term “openings” be deleted and replaced with --passageways-- to use consistent terminology.

With respect to claims 27-28 and 34, note that each of these claims is an improper dependent claim since each claim fails to recite any additional

structure of the printing apparatus and merely recites a desired functional mode of operation.

With respect to claim 29, the term "the paper path" in lines 1-2 has no proper antecedent basis since only a media path was previously recited. Again, applicant is reminded that consistent terminology should be used throughout the claims. Additionally, in line 2, it is suggested that the term "the source of ink" be deleted and replaced with --a source of ink-- since no ink source was previously recited in the claims.

With respect to claim 32, this claim is replete with antecedent basis problems. It is noted that this claim is currently written in independent form, but given the numerous antecedent basis problems, it appears that claim 32 was intended to depend upon either claim 26 or 31. Additionally it is noted that the term "passageways" (plural) in claim 32 is not consistent with the term "at least one passageway" in claim 26. In an effort to advance prosecution of the application, the Examiner has assumed that claim 32 is dependent upon claim 26.

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 4-6, 10-11, 13-14, 16-23, 25, and 33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Becker et al. (US 6,581,517). Becker et al. teach a printing apparatus comprising a drum 8, 17 having a peripheral surface with at least one passageway 20, 26, 24 therein and a “screen” (i.e., layer 34) placed over the peripheral surface of the drum and having apertures 24b, 36 therein that are smaller than the at least one passageway on the surface of the drum. See, in particular, Figures 3A, 3B, 4A, 4B and columns 6-7. Note that Becker et al. teach a porous film or foil 34, which can broadly be considered to be a screen as recited.

With respect to claims 4 and 5, note Becker et al. teach a vacuum source at least partially inside the drum which is in fluid communication with the at least one passageway 20, 26, 24. See column 6, lines 34-42 and Figure 1 in particular.

With respect to claim 6, note the at least one passageway 20, 26, 24 includes channels 24 located on the surface of the drum 8, 17, as shown in Figure 3A or Figure 4A in particular.

With respect to claim 10, note the at least one passageway of Becker et al. can be in fluid communication with a source of pressurized air, as taught in column 6, lines 34-42.

With respect to claim 14, Becker et al. teach a method for printing comprising placing a screen 34 over a drum 8, 17, holding a print medium 16 on the screen with a vacuum, and depositing ink on the print medium (through contact with blanket cylinder 2).

With respect to claims 11, 13, 16-19, and 22-23, note Becker et al. teach removing the media 16 through a blast of air (i.e., media pick-off) provided through air chambers (i.e., media ejector 28 positioned near the passageway 20, 26, 24) and apertures 24b in the porous film in column 4, lines 11-29.

With respect to claims 20-21, Becker et al. teach a printing apparatus comprising a drum 8, 17 with passageways 20, 26, 24 therein, a screen 34 with apertures 24b, 36 covering the drum, and means (i.e., suction force) for holding media onto the screen.

With respect to claim 25, note Becker et al. teach a source of low pressure (i.e., vacuum or suction) and removal of the suction force would clearly inherently allow for the media to be removed from the print drum.

With respect to claims 33-34, note Becker et al. teach a printing apparatus comprising a print drum 8, 17 having a peripheral surface and a channel 24a formed therein and a conduit 26, 28 positioned near the

peripheral surface of the drum to direct a stream of gas (blast air) along the channel.

Allowable Subject Matter

6. Claims 26, 30 and 31 are allowed.
7. Claims 27-29 and 32 would be allowable if rewritten to overcome the claim objections set forth above to the satisfaction of the Examiner.
8. Claims 2-3, 7-9, 12, 15, and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claim 26 (as well as claim 12) in particular, the prior art of record fails to teach or fairly suggest a printing apparatus comprising a drum with at least one passageway, a screen having apertures and covering the drum and at least one passageway, and a conduit for blowing a gas through the screen and into the at least one passageway, the apertures in the screen allowing the gas to be transmitted through the screen to the passageway. Note these claims require that the gas being blown from the conduit travels from the

exterior of the drum towards the interior since the claim recites that the gas is blown through the screen and into the passageway.

With respect to claims 2-3, 7-9, 15, and 24, the prior art of record fails to teach or fairly suggest a printing apparatus or method including all of the structure (or method steps) as recited, in combination with and particularly including, providing a heat source for heating both the peripheral surface of the drum and the screen.

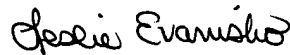
Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Green et al. (US 4,856,428), Distefano et al. (US 4,998,658), DT 25 09 680 A1 and JP 08-230261 each teach a vacuum drum having obvious similarities to the claimed subject matter.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
October 8, 2004